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5 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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KEN WALTERS, et al.,

Plaintiffs,

No. C 04-2559 JSW

v.

STATEWIDE CONCRETE BARRIER, INC.
and CHARLES WELLS,

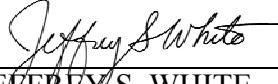
Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION RE
PLAINTIFFS' MOTION FOR
DEFAULT JUDGMENT**

The Court has reviewed Magistrate Judge Maria-Elena James' Report and Recommendation regarding Plaintiffs' Motion for Default Judgment. The Court finds the Report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, default judgment is GRANTED. The Court GRANTS Plaintiffs' request for an injunction requiring Defendants to submit to an audit of the appropriate trust fund records so that Plaintiffs may ascertain the total amount of contributions owed. Further, the Court STAYS the effect of this judgment until the amount of damages can be determined upon further production of information from Plaintiffs. In this regard, Plaintiffs should submit supplemental briefing enumerating the specific amounts still owing and the basis therefore by no later than November 18, 2005.

IT IS SO ORDERED.

Dated: September 20, 2005


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California

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